

Remarks

Applicant's attorney has studied the Office Action dated December 12, 2007, and have made amendments to the claims. Claim 19 has been canceled without prejudice. Claims 1-18 and 20 have been amended. No new matter has been added. It is submitted that the application, as amended, is in condition for allowance. Reconsideration is respectfully requested.

Claim for Foreign Priority under 35 U.S.C. § 119(a)

Applicant respectfully requests the Examiner to acknowledge Applicant's claim of foreign priority. As can be seen by Declaration submitted on February 19, 2004, Applicant is entitled to claim the benefit of a foreign priority date of February 21, 2003 based on Korean Application No. 10-2003-0010962. A certified copy of the Korean application was received by the USPTO on February 19, 2004.

Rejection under 35 U.S.C. § 102(e)

Applicant claims a novel digital broadcasting method, as well as a system for practicing the method. The method recited in claims 8-11 involves producing a data broadcast and then generating a digital broadcast using the data broadcast and a digital audio/video broadcast. The data broadcast or the digital audio/visual broadcast is then registered on an Internet site, where it is provided, depending on a viewer's request, using an Internet terminal. The embodiments recited in claims 17-20 include the step of registering the digital audio/visual broadcast and the data broadcast on a certain Internet site. The embodiments recited in claims 12-16 include the step of connecting to an Internet site that provides both a digital audio/visual broadcast and a data broadcast.

The distinction between a digital audio/video broadcast and a data broadcast is made clear by the teachings of the specification. An authoring engine 12 uses data broadcast contents to produce the data broadcast [0035], while an AV broadcast producing system 14 produces the audio/visual broadcast [0037].

Accordingly, as can be seen in Fig. 1, the system of claims 1-7 includes a transmitting means 10 having two units. The first is a unit 15 for generating the digital broadcast. The second is a unit 16 for registering the audio/video broadcast or the data broadcast on a certain Internet site, *i.e.*, for registering on a site hosted by Internet server 17.

The Examiner rejected claims 1-20, all the pending claims, under 35 U.S.C. 102(e) as being anticipated by Lim *et al.* (US 2004/0039788). Reconsideration is respectfully requested. Anticipation requires that a reference teach every aspect of the claimed invention either explicitly or impliedly. Because Lim *et al.* does not disclose a method or a system having a digital broadcast that includes an audio/video broadcast and a data broadcast and because Lim *et al.* does not disclose a method or a system having a unit for registering the digital broadcast or downloading a digital broadcast from a certain Internet site, Lim *et al.* does not anticipate any of the claims.

As the title of Lim *et al.*, "Relaying System for Broadcasting Multi-channel Internet Television and Networking Method Thereof, makes clear, Lim *et al.* teaches a method for broadcasting Internet television. See also [0037] of Lim *et al.*, which states, "The mission for providing the multimedia contents, i.e. Internet television program, to each client 90 is performed by the relaying system in accordance with the present invention." Therefore, Applicant disagrees with the Examiner's assertion that, at least in the context of Lim *et al.*, "multimedia includes data."

Furthermore, Lim *et al.* does not disclose a unit for registering a digital audio/video broadcast or a data broadcast to a certain Internet site. Web server 220, the device relied upon by the Examiner, is the server for hosting the Internet site – it is not a unit for registering the broadcast on a site hosted by the server. Therefore, because Lim *et al.* does not describe a system having a unit for generating a digital broadcast that includes both a digital audio visual broadcast and a data broadcast and because it does not describe a system that includes a unit for registering the digital audio/video broadcast or the digital broadcast on a Internet site, Lim *et al.* does not anticipate claims 1-7. Because Lim *et al.* does not describe a method including the steps of producing a data broadcast, generating a digital broadcast by using the data broadcast and a digital audio/visual broadcast, and then registering the produced data

broadcast or the generated digital audio/visual broadcast on a certain Internet site Lim *et al.* does not anticipate claims 8-11. Because Lim *et al.* does not describe a method including the step of connecting to an Internet site that provides both a digital audio/visual broadcast and a data broadcast, Lim *et al.* does not anticipate claim 12-16. And because Lim *et al.* does not describe a method including the step of registering a digital audio/visual broadcast and a data broadcast on a certain Internet site, Lim *et al.* does not anticipate claims 17-20. Therefore, the rejection of all of the claims under 35 U.S.C. 102(e) should be withdrawn.

CONCLUSION

In view of the above remarks, Applicant submits that claims 1-20 of the present application are in condition for allowance. Reexamination and reconsideration of the application are requested. If for any reason, the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

LEE, HONG, DEGERMAN, KANG & SCHMADEKA

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By: /Jeffrey F. Craft/
Jeffrey F. Craft
Registration No. 30,044
Attorney for Applicant